

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

BERNARD FAINER,)	
)	
Plaintiff,)	
)	
v.)	No. 4:08CV1536 AGF
)	
STATE FARM MUTUAL AUTOMOBILE)	
INSURANCE COMPANY,)	
)	
Defendant.)	

ORDER

This cause of action is before the Court¹ upon Defendant's removal of the case from the Circuit Court of the City of St. Louis, Missouri, on the basis of diversity jurisdiction. Plaintiff now stipulates that "his claim as set forth in Plaintiff's Petition against Defendant does not exceed \$75,000.00 exclusive of interests and costs" (Doc. #21), and Defendant consents to the remand of this case to State court on the basis of Plaintiff's stipulation (Doc. #22). Because diversity jurisdiction is lacking and no other basis appears on the face of the Petition upon which this Court's subject matter jurisdiction may be invoked, remand of this matter to the State court is appropriate. 28 U.S.C. § 1447(c).

¹All matters are pending before the undersigned United States Magistrate Judge, with consent of the parties, pursuant to 28 U.S.C. § 636(c).

Accordingly,

IT IS HEREBY ORDERED that this cause of action is remanded to the Circuit Court of the City of St. Louis, Missouri, for all further proceedings.


AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE

Dated this 30th day of April, 2009.